

**City of Selah
Council Minutes**

December 28, 2004

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order Mayor Jones called the meeting to order at 3:59pm.

B. Roll Call

Members Present: Brian Harris, Jerry Kobes, Keith Larson, Pete McNew, Allen Schmid, Herb Schmidt, Scott Smeback

Members Excused:

Staff Present: Bob Noe, City Attorney; Rick Gutierrez, Police Chief; Jerry Davis, Fire Chief; Joe Henne, Public Works Director; Jeff Hagler, Parks & Recreation Director; Dale Novobielski, Clerk/Treasurer

C. Pledge of Allegiance

Councilman Pete McNew led the Pledge of Allegiance. Jeff Hagler led the group in prayer. Roll was called.

D. Agenda Changes

E. Public Appearances

Mayor Jones noted a Community Pride award will be given to Pastor Lowell Welker at a January Council Meeting.

Administrative Assistant Julie Gray presented a Cheese "brick" to Councilman Smeback. who noted now the Council can't be accused of being one brick shy.

F. Getting To Know Our Businesses

G. Communications

1. Oral
2. Written
 - a. Letter from Canfield & Associates

H. Proclamations/Announcements

I. Consent Agenda

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: Council Meeting December 14, 2004
- * 2. Approval of Claims & Payroll: Claims check nos. 44388 – 44465 for a total of \$175,067.03, and Payroll check nos. 55090 – 55519 for a total of \$98,588.16.

Councilman Kobes moved and Councilman Larson seconded to add Item M-8 Resolution Accepting the Yakima Juice Water Main Extension as Complete and Authorizing the Close-out of the Project and release of Retainage. By voice vote, motion carried unanimously.

Mayor Jones read the Consent Agenda as amended.

Councilman Schmid moved and Councilman Kobes seconded to approve the Consent Agenda as amended. By voice vote, the motion passed unanimously.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

Mayor Jones moved to Item M-1 Resolution Authorizing the Mayor To Sign an Agreement between the City of Selah and Yakima Valley Regional Library regarding Library Services and Annexation. He noted there no audience participation would be allowed, and he promised a decision would be made today.

1. Resolution Authorizing the Mayor To Sign an Agreement between the City of Selah and Yakima Valley Regional Library regarding Library Services and Annexation

City Attorney Bob Noe explained this issue was tabled because there were issues of effective date and when taxes would be imposed. He noted the effective date of annexation would be upon certification of annexation vote. He stated each year by March 1 taxing district boundaries are established, and because the annexation election will take place March 8, taxation boundaries would be set June 1 and taxation levied in October of 2005. He stated these taxes will not be collected until 2006, and the YVRL not receive until 2006.

Councilman Kobes moved approval of the Resolution Authorizing the Mayor To Sign an Agreement between the City of Selah and Yakima Valley Regional Library regarding Library Services and Annexation. He noted this agreement was received from the Yakima Valley Regional Library Board on 12/23/04 after their meeting 12/23/04. He stated this agreement is congruent with the intent of City of Selah Ordinance No. 1633 and Resolution No. 1565 requesting annexation, and Yakima Valley Regional Library Resolution No. 04-011, also proposing annexation. Councilman Herb Schmidt seconded.

Councilman Schmid called for the question.

Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

Mayor Jones wished library supporters luck in dealing with the Yakima Valley Regional Library. Councilman Schmid encouraged audience members to stay for the entire meeting. Joyce Darling attempted to give the Mayor materials, but Mayor Jones moved on to Item M-3 Resolution Referring a SEPA Appeal to the Hearing Examiner for Consideration Pursuant to Selah Municipal Code 1.60.080 (B). He called for order in the hall.

- * 2. Resolution to Surplus Miscellaneous Fire Department Equipment
- 3. Resolution Referring a SEPA Appeal to the Hearing Examiner for Consideration Pursuant to Selah Municipal Code 1.60.080 (B)

City Attorney Bob Noe stated Community Planner Dennis Davison was unavailable for this meeting, but Selah Municipal Code allows the delegation of SEPA appeals to the Hearing Examiner.

Councilman Schmid moved and Councilman Larson seconded to approve the Resolution Referring a SEPA Appeal to the Hearing Examiner for Consideration Pursuant to Selah Municipal Code 1.60.080 (B). Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

(Resolutions 4 and 5 were considered out of order. They are printed in numerical order here.)

- 4. Resolution Revising Rates for Water Services

Clerk/Treasurer Dale Novobielski reviewed changes in water rates provided in Item M-4 Resolution Revising Rates for Water Services.

Councilman Schmid moved and Councilman Larson seconded to approve the Resolution Revising Rates for Water Services. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

- 5. Resolution Revising Rates for Sewer Utility Services

The Clerk/Treasurer reviewed changes in sewer rates provided in Item M-5 Resolution Revising Rates for Sewer Utility Services.

Councilman Larson moved and Councilman Schmidt seconded to approve the Resolution Revising Rates for Sewer Utility Services. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

- 6. Resolution Revising Rate for the Collection of Solid Waste

The Clerk/Treasurer reviewed changes in rates for garbage service in Item M-6 Resolution Revising Rates for the collection of Solid Waste.

Councilman Schmidt moved and Councilman Smeback seconded to approve the Resolution Revising Rate for the Collection of Solid Waste. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

Mayor Jones reviewed the budget process, noting cut backs in all departments. He noted the Council has taken heat when it is not deserved.

7. Resolution Authorizing the Mayor To Sign a 2005 Correction/Detention Agreement & 6211 Exemption Agreement with the Yakima County Department of Corrections

Police Chief Rick Gutierrez asked the Council to approve the Resolution Authorizing the Mayor To Sign a 2005 Correction/Detention Agreement & 6211 Exemption Agreement with the Yakima County Department of Corrections. He stated the 2005 agreement includes a 5% increase over last year.

Councilman Schmid moved approval of the Resolution Authorizing the Mayor To Sign a 2005 Correction/Detention Agreement & 6211 Exemption Agreement with the Yakima County Department of Corrections. Councilman Harris seconded.

Councilman Kobes asked a question regarding item #10 "minor care" medical coverage. Councilman McNew asked about pre-existing conditions. The Chief stated sometimes early release is provided for those with pre-existing conditions.

Councilman Smeback asked if the law and justice tax will impact this agreement. Mayor Jones responded it will not impact this agreement at all.

Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

Discussion continued on this item.

* 8. Resolution Accepting the Yakima Juice Water Main Extension as Complete and Authorizing the Close-Out of the Project and Release of Retainage

N. Ordinances

1. Ordinance Establishing the 2005 Salary Schedule for Management, Confidential and Unrepresented Employees

Clerk/Treasurer Novobielski addressed N-1 Salary Ordinance noting part time salaries reflect the new minimum wage.

Councilman Schmid moved and Councilman Kobes seconded to approve the Ordinance Establishing the 2005 Salary Schedule for Management, Confidential and Unrepresented Employees. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman

McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion passed unanimously.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental

Councilman Smeback reported that at the last Parks Service Area Board meeting the Board put four projects together, and he will bring something back to next meeting. He noted the youth of the City will be getting some good things.

Parks and Recreation Director Jeff Hagler stated there will be a vote in May, and the Council will receive more information at their next meeting.

Fire Chief Jerry Davis thanked the Council and Mayor for their support and wished everyone a Happy New Year.

Public Works Director Joe Henne reported the weather is still holding out, and the main line should be finished in three weeks. He said if anyone asks why the Public Works crew is putting brine down now, it is because at 4:00pm a 70-80% chance of snow was forecast.

Jeff Hagler reported the Selah Signals newsletter is at the printer now and will be out this week. He stated work is continuing on Comprehensive Parks Plan and that will be out to the community before long.

Councilman Schmid stated the Council has made a wise decision regarding the library, stepped up to the plate and secured a library at least until March 31, 2005. He commended Councilmen McNew, Kobes and Schmidt for the time they have spent working and discussing with YVRL to promote a good proposition. He stated he doesn't think most people understand that Selah might have had a bigger, better, more modern library, but the YVRL turned it down. He said he hopes people understand that there is nothing in the agreement the Mayor will sign that guarantees there will be a library in Selah next year even if annexation passes. He urged citizens to attend YVRL meetings, noting the issue is not over, and people need to be aware of continuing issues. There are some things that need to be taken care of, and he hopes people in the County will continue to question the YVRL.

An audience member said the City should publish a thorough discussion of this information in the Selah Signals.

Councilman Schmid expressed his disappointment at the way he, Councilman Schmidt and Kobes were treated by the YVRL Board at their meeting last week, noting they stated they did not trust the City Council of Selah. He stated the YVRL basically acted like "you take what we offer or nothing."

Councilman Kobes agreed they were poorly treated.

Mayor Jones stated his wish the media would report that the Selah community will put in almost half a million dollars into the YVRL if annexation passes. He ask them to dig into the operation of the Yakima Valley Regional Library. He said he's ashamed of the quality of the library we get for the amount of money Selah is putting into the system, noting he thinks it is extortion.

Councilman McNew thanked the Mayor for an outstanding job in 2004.

Councilman Schmid thanked all staff members for outstanding job they've done this year and thanked Mayor Jones for his outstanding leadership this year. He wished the Mayor a good month away.

Councilman Schmidt stated this decision proves this Council works together as a management team. He also noted his disappointment with YVRL Attorney and the reluctance of the YVRL Board. He stated it is up to the citizens of Selah to vote their wishes on annexation.

Mayor Jones stated he feels blessed to have this Council and the working relationship they have. He noted they even show up to meetings. He enumerated the accomplishments of Parks & Rec Director Jeff Hagler, Police Chief Rick Gutierrez, Fire Chief Jerry Davis and Public Works Director Joe Henne, noting they make his job easy. He wished all a Happy New Year.

Q. Executive Session

R. Adjournment

Council Member Schmid moved and Council Member Kobes seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 4:50pm.

Robert L. Jones, Mayor

Gerald Kobes, Council Member

Keith Larson, Council Member

Peter McNew, Council Member

Brian Harris, Council Member

Herb Schmidt, Council Member

Scott Smeback, Council Member

Allen Schmid, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer